

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Technology Properties Limited and Patriot
Scientific Corporation,

Plaintiffs,

vs.

Matsushita Electric Industrial Co., Ltd.,
Panasonic Corporation of North America,
JVC Americas Corporation, NEC
Corporation, NEC Electronics America, Inc.,
NEC Corporation of America, NEC Display
Solutions of America, Inc., NEC Unified
Solutions, Inc., Toshiba Corporation, Toshiba
America, Inc., Toshiba America Electronic
Components, Inc., Toshiba America
Information Systems, Inc., Toshiba America
Consumer Products, LLC.,

Defendants.

§ Civil Action No. 2-05-CV-494 (TJW)

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§ **JURY TRIAL DEMANDED**

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JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Eastern District of Texas Patent Rule 4-3, Plaintiffs Technology Properties Limited and Patriot Scientific Corporation (collectively “Plaintiffs”); Defendants Toshiba America Electronic Components, Inc., Toshiba America Information Systems, Inc., Toshiba America Consumer Products, LLC, and Toshiba Corporation (collectively “Toshiba Defendants”); JVC Americas Corp., Matsushita Electric Industrial Co., Ltd, and Panasonic Corporation of North America; NEC Corporation, NEC Electronics America, Inc., NEC Display Solutions of America, Inc., NEC Corporation of America, and NEC Unified Solutions, Inc. (collectively “NEC Defendants”); and intervenors ARM, Ltd. and ARM, Inc. (collectively “ARM”) hereby provide the following Joint Claim Construction and Prehearing Statement.

I. AGREED CLAIM CONSTRUCTIONS

Constructions of those claim terms, phrases, or clauses for each of the asserted patents on which the parties agree are set forth in Exhibit A attached hereto.

II. DISPUTED CLAIM CONSTRUCTIONS

Plaintiffs' proposed constructions and identification of evidence for each disputed claim term, phrase, or clause of the patents-in-suit is attached hereto as Exhibit B.

The Defendants' proposed constructions and identification of evidence for each disputed claim term, phrase, or clause of the patents-in-suit is attached hereto as Exhibit C.¹

III. ANTICIPATED LENGTH OF CLAIM CONSTRUCTION HEARING

The parties believe that it would be appropriate for the Court to allocate four hours to the claim construction hearing, with two hours allocated to Plaintiffs and two hours allocated to Defendants, including intervenors ARM.

IV. CLAIM CONSTRUCTION WITNESSES

The parties will not call any fact or expert witnesses to testify at the Claim Construction Hearing and, thus, have not provided summaries of expert opinions herewith. The parties expect to submit declarations of expert witnesses in connection with their claim construction briefs, and have agreed that expert discovery concerning claim construction, including depositions, will not be conducted.

¹ Plaintiffs have represented that they are accusing only ARM core chips of infringing the '584 Patent. Accordingly, Defendants have deferred to the constructions proposed by ARM with respect to the '584 Patent. Defendants reserve the right to raise additional claim construction issues and to make additional proposals regarding claim construction in the event that plaintiffs seek to include additional chips beyond the ARM core chips currently accused.

V. CLAIM CONSTRUCTION PREHEARING CONFERENCE

The parties agree that any prehearing conference can be conducted at the beginning of the claim construction hearing and a separate hearing date is not required.

DATED: February 16, 2007

Respectfully submitted,

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